

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

JAMES R. LUCAS,

Plaintiff,

v.

Case No. 20-2509-EFM

DADSON MANUFACTURING CORP., et al.,

Defendants.

ORDER

This case comes before the court on the parties' joint informal request to stay all further proceedings pending a ruling on the dispositive motions filed in this case (ECF Nos. 5, 13, 14). The court may stay discovery if: (1) the case is likely to be finally concluded via a dispositive motion; (2) the facts sought through discovery would not affect the resolution of the dispositive motion; or (3) discovery on all issues posed by the complaint would be wasteful and burdensome.¹ The decision whether to stay discovery rests in the sound discretion of the court.² As a practical matter, this calls for a case-by-case determination.³

¹ See *Wolf v. United States*, 157 F.R.D. 494, 495 (D. Kan. 1994) (citing *Kutilek v. Gannon*, 132 F.R.D. 296, 297-98 (D. Kan. 1990)); *Lofland v. City of Shawnee*, No. 16-2183, 2016 WL 5109941, at *1 (D. Kan. Sept. 20, 2016).

² *Clinton v. Jones*, 520 U.S. 681, 706 (1997) ("The District Court has broad discretion to stay proceedings as an incident to its power to control its own docket.").

³ *Citizens for Objective Public Educ., Inc. v. Kan. State Bd. of Educ.*, No. 13-4119, 2013 WL 6728323, at *1 (D. Kan. Dec. 19, 2013).

Upon review of the record, including the pending dispositive motions, the court concurs with the parties that a stay of all pretrial proceedings—including discovery, the planning meeting conference, initial disclosures, and the scheduling of deadlines—is warranted until the court rules the dispositive motions.

In consideration of the foregoing, and upon good cause shown,

IT IS HEREBY ORDERED: The parties' joint request to stay proceedings is granted. All pretrial proceedings in this case, including discovery and initial disclosures, are stayed until further order of the court. If the case remains pending following a ruling on the motions, defense counsel shall notify the undersigned within 5 business days of the ruling so that a case-management conference can be set.

Dated December 21, 2020, at Kansas City, Kansas.

s/James P. O'Hara
James P. O'Hara
U.S. Magistrate Judge